

1-1 By: Dale, et al. (Senate Sponsor - Paxton) H.B. No. 628
 1-2 (In the Senate - Received from the House May 10, 2013;
 1-3 May 10, 2013, read first time and referred to Committee on Open
 1-4 Government; May 17, 2013, reported favorably by the following
 1-5 vote: Yeas 4, Nays 0; May 17, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	

1-13 A BILL TO BE ENTITLED
 1-14 AN ACT

1-15 relating to the right of a member of the board of trustees of a
 1-16 school district to obtain information, documents, and records.

1-17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-18 SECTION 1. Section 11.1512, Education Code, is amended by
 1-19 adding Subsections (c), (d), (e), and (f) to read as follows:

1-20 (c) A member of the board of trustees of the district, when
 1-21 acting in the member's official capacity, has an inherent right of
 1-22 access to information, documents, and records maintained by the
 1-23 district, and the district shall provide the information,
 1-24 documents, and records to the member without requiring the member
 1-25 to submit a public information request under Chapter 552,
 1-26 Government Code. The district shall provide the information,
 1-27 documents, and records to the member without regard to whether the
 1-28 requested items are the subject of or relate to an item listed on an
 1-29 agenda for an upcoming meeting. The district may withhold or redact
 1-30 information, a document, or a record requested by a member of the
 1-31 board to the extent that the item is excepted from disclosure or is
 1-32 confidential under Chapter 552, Government Code, or other law.
 1-33 This subsection does not require the district to provide
 1-34 information, documents, and records that are not subject to
 1-35 disclosure under the Family Educational Rights and Privacy Act of
 1-36 1974 (20 U.S.C. Section 1232g).

1-37 (d) A school district shall post, in a place convenient to
 1-38 the public, the cost of responding to one or more requests submitted
 1-39 by a member of the board of trustees of the district under
 1-40 Subsection (c) if the requests are for 200 or more pages of material
 1-41 in a 90-day period.

1-42 (e) The district shall report annually to the Texas
 1-43 Education Agency not later than September 1 of each year:

1-44 (1) the number of requests submitted by a member of the
 1-45 board of trustees of the district under Subsection (c) during the
 1-46 preceding school year; and

1-47 (2) the total cost to the district for that school year
 1-48 of responding to requests under Subsection (c).

1-49 (f) In this section, "official capacity" means all duties of
 1-50 office and includes administrative decisions or actions.

1-51 SECTION 2. This Act takes effect September 1, 2013.

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